IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.228 OF 1996

1. Nagappa Tukappa Chougule
and Ors. ...Petitioners.

V/s

1. The Municipal Commissioner,
Solapur Municipal Corporation,
Solapur and anr. ...Respondents.

Mr. S.G. Kudle for the petitioners.
Mr. V.B. Naik for respondent No.1.
Mr. P.P. Kakade, AGP for respondent No.2.

CORAM: V.G. PALSHIKAR &
V.M. KANADE, JJ.

DATE : 5th June, 2006

P.C.:

1. By this petition, the petitioners prayed for direction to the respondents to pay to the petitioners regular pay-scale with effect from 5/5/1992 as they are entitled to such pay-scale from that date. During the pendency of this petition, in the year 2003, the respondents absorbed them and treated them as regular employees in regular pay-scale but with effect from 2003. This action of the respondents is impugned in Writ Petition Nos. 2011 of 2003 and 2432 of 2003. By these two petitions filed in the year 2003, the same contentions are renewed viz. grant of regular pay-scale with effect from 1992, the correctness of

which is the dispute in 2003 petitions.

2. In our opinion, therefore, this Writ Petition No.228 of 1996 does not survive as all the contentions raised therein are also raised in the Writ Petitions filed in the year 2003 which will be decided in accordance with law.

3. This petition is, therefore disposed of as infructuous.

(V.G.PALSHIKAR, J.)

(V.M. KANADE, J.)